

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

MARUYAMA U.S., INC. ,

Plaintiff,

v.

**FRAZIER CORPORATION d/b/a
South Shore Equipment,**

Defendant.

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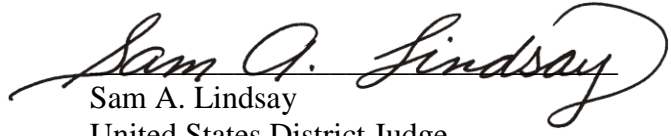
Civil Action No. 3:15-CV-962-L

ORDER

This case was referred to Magistrate Judge Irma Carrillo Ramirez for pretrial management, and she entered the Findings, Conclusions, and Recommendation of the United States Magistrate Judge (“Report”) on February 12, 2016, recommending that the court grant Defendant Frazier Corporation d/b/a South Shore Equipment’s (“Defendant” or “Frazier”) Rule 12(b)(2) Motion to Dismiss (Doc. 8), filed May 26, 2015, and dismiss for lack of personal jurisdiction. The magistrate judge further recommends that the court deny as moot Defendant’s 12(b)(3) Motion to Dismiss for improper venue. No objections to the Report were filed.

Having reviewed the file, record in this case, and Report, the court determines that the findings and conclusions of the magistrate judge are correct, and **accepts** them as those of the court. Accordingly, the court **grants** Defendant’s Rule 12(b)(2) Motion to Dismiss and **dismisses without prejudice** for lack of personal jurisdiction Plaintiff’s claims against Frazier. Having determined that the court lacks personal jurisdiction over Frazier Corporation d/b/a South Shore Equipment, the court need not consider the alternate ground for dismissal under Rule 12(b)(3) that was raised in the Motion to Dismiss. Accordingly, Defendant’s 12(b)(3) Motion to Dismiss is **denied as moot**.

It is so ordered this 3rd day of March, 2016.


Sam A. Lindsay
United States District Judge